

Serial No. 10/780593

- 5 -

Art Unit: 2665

REMARKS

Claims 1-7 are presented for examination. Claims 1 and 5 were rejected under 35 U.S.C. §102(b) as being anticipated by Vlcek. Claims 1 and 3-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Karaoguz. Claims 1, and 5 are currently amended. Claims 6 and 7 are new. Support for the claim amendments and the new claims is in the Specification at pages 12-13. Reconsideration and further examination are respectfully requested.

The presently claimed invention distinguishes the cited references by reciting a distributed technique for causing stations to migrate between different access points in order to achieve a desired result. At start-up, conventional stations tend to associate with the access point presenting the strongest signal, which is often the closest access point to the station. Some conventional stations will remain associated with that access point until communication with that access point is no longer practical. Since stations are generally mobile, in an environment with multiple access points this can result in a situation where stations are provided a relatively poor data rate after being moved away from, but not out of range of, an access point, *even though an alternative access point that could provide a better data rate is closer to the station after the station is moved*. Further, the original access point may transmit at a relatively high power level in order to maintain communication with the station, thereby increasing the likelihood of overlap and interference between nearby devices. The presently claimed invention helps to solve these problems by accepting bids from stations to change associations, and auctioning opportunities to associate. For example, in order to facilitate power adjustment a station may re-associate with an access point that can communicate with the station at a lower transmit power. (See particularly claims 1 and 5). Alternatively, in order to improve data rate a station may re-associate with an access point capable of providing a better data rate. (See particularly claims 6 and 7).

Serial No. 10/780593

- 6 -

Art Unit: 2665

Vlcek describes a technique where a vehicle is selected based on the distance between the vehicle and a target. The Office equates the vehicles of Vlcek with the stations in a wireless network, and the central processing station with an access point. There is only one central processing station, and it does not repeatedly redirect vehicles based on distance from a given target, i.e., the selected vehicle is not de-selected if it drives away from the target. As such, Vlcek fails to teach that a station associated with a first access point should become associated with a second access point because the second access point became closer, or became able to provide a better data rate. Claim 1 therefore distinguishes Vlcek by reciting **"at each of a plurality of access points within communication range of stations, repeatedly executing the steps of: ... selecting at least one of the bid messages based at least in part on the parameter related to distance."** (emphasis added) Claim 5 recites similar distinguishing language. Withdrawal of the rejections of claims 1 and 5 based on Vlcek is therefore requested.

Claims 1 and 3-5 distinguish Karaoguz by reciting a **distributed** technique for changing associations between stations and access points. Karaoguz uses a central server to detect access points, collect information, and configure the network. (See, e.g., paragraphs 0027-0028) For example, the central server can detect access points and cause those access points to adjust transmission power as described in paragraph 0028. Central servers are favored by some designers because it requires relatively little or no modification of stations and access points. However, the central server has drawbacks including scalability limitations and creation of a single point of failure. In contrast, the presently claimed invention is a distributed technique in which stations and access points can prompt reconfiguration without a central server. Hence, claim 1 distinguishes Karaoguz by reciting **"at each of a plurality of access points within communication range of stations, repeatedly executing the steps of: ... selecting at least one of the bid**

Serial No. 10/780593

- 7 -

Art Unit: 2665

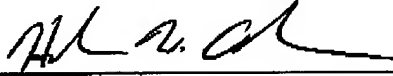
messages based at least in part on the parameter related to distance." (emphasis added) In the Karaoguz scheme the central server rather than the access points makes network configuration decisions. Claim 5 recites similar distinguishing language. Withdrawal of the rejections of claims 1 and 3-5 over Karaoguz is therefore requested.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned, Applicants' Attorney at 978-264-4001 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

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Date


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